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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number	10/643,606
Filing Date	August 18, 2003
First Named Inventor	Rene Mattern
Group Art Unit	1762
Examiner Name	Cachet I. Sellman

Attorney Docket Number FA1093 US NA

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Terminal Disclaimer	<ul style="list-style-type: none"><li>• Certificate of Mailing</li><li>• Response to Notice of Non-Compliant Amendment</li><li>• Copy of Office Action Summary from 5/19/06</li><li>• Receipt Card</li></ul>
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Request for Refund	
	<input type="checkbox"/> CD, Number of CD(s) _____	
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Hilmar L. Fricke, Registration No. 22,384
Signature	
Date	September 13, 2006

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on the date shown below

Typed or printed name	Ellen M. Godfrey	Date	September 13, 2006
Signature			

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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

RENE MATTERN ET AL.

CASE NO: FA1093 US NA

APPLICATION NO: 10/643,606

GROUP ART UNIT: 1762

FILED: AUGUST 18, 2003

EXAMINER: Cachet I. Sellman

FOR: PROCESS FOR CURING POWDER  
COATINGS

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed August 30, 2006. In the Amendment dated August 14, 2006 (referred to as amendment document filed on 18 August 2006 in the notice), Applicants did not submit amendments to the drawings as stated in the above notice.

The original Figures 1 and 2 were attached to the patent application filed on August 18, 2003. The Figures were acceptable to the Examiner as stated in the Non-Final Office Action mailed May 19, 2006. A copy of the Office Action Summary is attached.

In the Amendment dated August 14, 2006 responding to the Non-Final Office Action, Applicants submitted for information, an article that also included figures, "Sekundenschnelle Aushärtung von Pulverlacken", Kia Bär. These figures from the article are not amendments to the drawings of the application.

Applicants submit that the amendment dated August 14, 2006, is in full compliance and request withdrawal of the Notice of Non-Compliant Amendment. If

APPLICATION NO: 10/643,606  
ATTORNEY DOCKET NO.: FA1093 US NA

the Examiner wishes to discuss the matter, Applicants' attorney can be reached directly at the telephone number shown below.

Respectfully submitted,

By:   
Hilmar L. Fricke  
Attorney for Applicants  
Reg. No.: 22,384  
Telephone: (302) 984-6058  
Facsimile: (302) 658-1192

Dated: September 13, 2006



## Office Action Summary

Application No.	10/643,606	
Examiner	MATTERN ET AL.	
Cachet I. Sellman	Art Unit 1762	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 18 August 2003.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-4 and 6-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-4, 7 and 8 is/are rejected.
- 7) Claim(s) 2 and 6 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 18 August 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/5/04, 11/10/04, 7/18/04, 4/1/04,
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.



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## Certificate of Mailing under 37 CFR 1.8

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Ellen M. Godfrey

Signature

Ellen M. Godfrey

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Application No.: 10/643,606  
Filing Date: August 18, 2003  
First Named Inventor: Rene Mattern  
Title: Process for Curing Powder Coatings  
Attorney Docket: FA1093 US NA

- Transmittal Form
- Response to Notice of Non-Compliant Amendment Mailed August 30, 2006
- Copy of Office Action Summary Mailed May 19, 2006
- Receipt Card